

Forensic Linguistics: Deception and Defamation of Digital Discourse

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Abstract

This study aims to review published research articles that studied digital text crimes, which are deception and defamation based on forensic linguistic point of view. The authors developed three inquiries: linguistic aspects, the selection of research design, and the trend of studies that discussed deceptions and defamations within published scientific articles. The data were twenty published articles on deceptions and twenty on defamations. The authors selected the data from Harzing's Publish or Perish and Mendeley Reference Manager. The descriptive qualitative research method was applied in this study. For deception, 60% of the articles utilized a morphosyntax perspective of analysis, and the trend shows that deception studies were frequently implemented by email (40%) from 2018 to 2021. The findings capture that deception acts through email were investigated with linguistic morphosyntax aspect. This shows that people are getting deceived by word-tricks. Whereas, for defamations published studies, it is observed that the mix of semantic and pragmatic was most selected (50%), and 75% of defamation cases in digital discourse occurred on social media platforms from 2019 to 2022. Thus, the findings reveal that defamation acts through social media were studied from a pragmatic perspective, this shows that defamation acts generally appear in a language interaction. Both deception and defamation studies mostly applied the qualitative descriptive design. Conclusively, this present study is accomplished in portraying the trend of digital crimes during the COVID-19 pandemic, and the significance of linguistics analysis in forensic investigations.

Keywords: Digital Discourse, Deception, Defamation, Forensic Linguistic, COVID-19

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Introduction

Virtual internet-based communication has been selected widely for today. The concept of globalization or a borderless universe puts people in high demand and need of mobile technology devices with all the consequences (Burak, 2020). Committed to the outer world easily had been delivered perfectly by computer technology in recent decades, but mobile internet-based devices have replaced that role. Sending messages, chatting with friends, booking hotels or flights, and attending a long-distance conference can be applied through the smartphone in hand (Actoriano & Riadi, 2018). Eventually, this circumstance causes people to misconduct in using language to communicate through internet-based media (Askurny & Syihabuddin, 2022). Based on the Indonesia Police (POLRI) report, they proceeded with 162 defamation cases in early 2022, elucidating that defamation cases have increased to 37% in Indonesia (Pusiknas Bareskrim Mabes Polri, 2022).

Moreover, deception cases have been reported to the Indonesia Police (POLRI), at the beginning of year 2023 for more than 700 cases (Pusiknas Bareskrim Polri, 2022). These imply that the interaction of people by language through digital media generates violations. This study attempts to deliver the two main misconducts of language use through internet media which has dragged people to the crime, are defamation and deception. As those two dealt with legal issues that involve language, linguistic expertise is emerging to stand with its discipline to assist legal persons in solving such cases. Therefore, the authors categorize crimes of digital discourse into deception and defamation.

Present Study

Investigation of crimes that occur over an Internet connection is known as cybercrime, digital crime, or digital forensic inquiry. Previous scholars, experts, and practitioners have analyzed and studied those crimes based on various disciplines. The salient disciplines that contributed to this inquiry are information technology and computer science. A literature study has reviewed studies of the potential of artificial intelligence (AI) machines to be employed in law investigation and enforcement (Faqir, 2023). In addition, a literature review of articles discussed the use of NLP (Natural Language Processing) in detecting phishing emails (Salloum et al., 2022). Moreover, a literature study of cybercrime investigation exercises more complex engineering and intelligence over multiple surface, deep, and dark intelligence analysis levels (Cascavilla et al., 2021). This present study aims to review the trend of linguistic application to investigate criminal conduct in the digital discourse. To present and explain linguistics, language study contributes to legal investigation and enforcement.

Digital Text, Crime, and Forensic Linguistics

Text or discourse on the internet is digitally manufactured. Digital technology is transmitting information at a simpler, more effective, cheaper storage cost, utilizing computer technology, and data transmission (Goldfarb & Tucker, 2019). Hence, digital interaction through text or discourse means written and spoken language that generates specific features based on the situational expression of the interaction between users. Thus, digital text is a specific variation creatively built by mobile users with identical characteristics within internet settings (Crystal, 2006). The digital space allows people to meet others through internet connections. Digital messages, videos, and content bridge people into intangible physical assemble places

to not only send messages and social interaction but also to attack other people in the form of hate speech and bullying conduct (Miró-Llinares et al., 2018).

Forensic linguistics is the interface of language study, crime, and legal investigation. The two main studies in forensic linguistics are the language of law and language examination as law evidence. Therefore, forensic linguistics is defined as three areas of study, that are; 1) examination of the language of law in the form of writing; 2) examination of the process of law, the measurement of each element in an emergency calls up to the verdict establishment; and 3) work description of a linguist as the expertise witness (Coulthard et al., 2021). Briefly, forensic linguistics concerns three practical practices, that are written legal language, spoken legal language, and delivery of evidence. Written legal language is about how forensic linguists work on legal documents and papers to make those texts comprehensible.

The practice of linguistic expertise in spoken legal language, embracing the analysis of language interaction between the policeman and suspect, defendant and the judges in a courtroom, and so on. Linguists as expert witnesses also contribute to providing evidence in a crime or legal abuse acts by advising the police in an investigation (Hassan & Ali, 2020). Additionally, the types of texts commonly studied in forensic linguistics in previous times were; emergency calls; ransom demands, and other communication of threats; suicide letters; and final death row statements (Umiyati, 2020). In its development, crimes have occurred in the digital text of the internet-based communication world. Therefore, this literature study was conducted to outline the application of linguistics to crimes of digital texts.

As we recognize that activity through the internet connection encompasses interaction between people in an online way. If physical acts apply to ordinary crimes, language crimes are caused by language practices, such as bullying, hate speech, slander, deception, hoaxes, scams, etc. Moreover, language crimes that occur without any physical acts of perpetrators, but electronically require linguistic examinations in the investigation. For example, in examining linguistic features of fraudulent emails, defamation contents, and trademark disputes, as well as detecting threat and hate speech messages detection, which happens in digital space (Sousa-Silva, 2023). The language of cyber or digital crime can be written and spoken. When that is written, the evidence is on the provided documents with all of the variations, while, it is spoken, the evidence is usually in the form of a recording of audio or video (Shuy, 2005).

Considering the characteristics of crimes in the digital environment, cybercrimes, replicating traditional crimes, are categorized into four types. First is trespassing ownership of digital data and identity, like access to passwords, and identity theft. The first is violations of ownership of digital data and identity, such as access to passwords and identity theft. The second is fraudulent attacks or cyber fraud, illegal access to online information and materials, such as intellectual property and digital piracy. The third is cyber-porn such as pornographic content, unauthorized use of nudity, sexual exploration, and so on. Then, the last is cyber-violence which may cause physical and emotional suffering, defamation, and threatening conduct on the internet and can disseminate dangerous and harmful content, like cyberbullying, cyberstalking, and speech spreading (Sousa-Silva, 2024). In line with the previous explanation, the authors of this study selected two main digital crimes (cybercrimes), which represent the five types of cybercrime, that are related to linguistic practices, namely digital deception and defamation.

Deception (Fraud)

Deception or fraud is defined as an act of speech or a statement of untruth, lie, or false statement, intentionally to obtain an advantage over the innocent (Wells, 2010). In the context of digital text, phishing and scam terms are well-known for indicating acts of deception. Phishing and scams are regularly applied through email, text message apps, and social media (I. M. Chiluya et al., 2017; Holtgraves & Jenkins, 2020). Hoax and Fake are defined as ‘false information’ or ‘lie’. Experts do not have a perception of hoaxes and fake, however, ‘false information has been distinguished as follows (Zannettou et al., 2019):

- a) *Fake News*, There are four types of Fake News, that are: 1) ‘fabricated’, or a fiction story, it is a tale whose elements are delusional; 2) Propaganda, which is an artificial or fake story to attack the opponent in terms of political purpose, this story even changes the track record of somebody; 3) imposter, a tale written by a disguised writer (pseudonym) with the misleading purpose; and 4) Confirmation, the stories which are attempting to explain a situation by requiring confirmation, generally it is about illegal acts conducted by the executives.
- b) *Bias*, inaccurate news. This refers to a news story that is disingenuous but relates to the fact of truth. It is divided into; 1) *Hoax*, news without determination of true or false, but is presented as the truthful facts; 2) *Hyper-partisan*, in the political field, this refers solely to one-side clarified; and 3) *Fallacy*, which is a story that use invalid reasoning to generate arguments.
- c) *Ambiguous News*, a euphemistic story inside the news, is categorized into three types, are: 1) *Rumour*, rumor is an ambiguous story that will never be confirmed; 2) *Clickbait*, the use of a news title or small image on the web content, intentionally to misguided people; 3) *Satire News*, is the story that comprises a humor and ironic story.

Defamation

Defamation is a violation or a crime caused by malicious language. Use of language with a negative intention to humiliate somebody’s pride, dignity, and reputation, by spoken act or slander, written or libel, moreover a technospeak, in public (Nieto, 2020). Defamation acts traditionally took place in physical interaction. Insulting, humiliating, and intimidating are actions to lower other people's self-esteem and reputation. However, nowadays, defamation actions happen in nonphysical interactions, internet information technology has inspired people to perform several actions, including to defame someone else’ good name. Slur, hate speech, and slander become frequently conducted on internet media platforms, notably, in social media (Mohammed Nusairat, 2022; Titahena & Prihadi, 2023). Moreover, hate speech is a general term for implementing acts of defamation. Hate speech, and so forth, has been noticed as a social misdemeanor conducted through language. Hence, this underlines the worth of linguistic analysis as a tool or way to obtain an understanding of the attributive, performative, and interpretative role of language which is not only to articulate how hate speech exists but also to explain how the target can perceive it as hateful (Irimba et al., 2021).

Bullying is another language act of defamation, exercised overtly or covered. Overt bullying is an identically physical attack on somebody like punching, kicking, rejection, and sexual touch. Meanwhile, covered bullying is an act of isolating, intimidating, and gossiping, by peer friends (Shariff & Hoff, 2007). Further, bullying recently applied through the internet media. Cyberbullying is identically delivered by a person who hides himself, by libel, posting mocking on social media, sending threats through email, websites, blogs, and so on (Chan &

Yew, 2015). Bullying is applied when a more powerful person or group, normally, within a peer group, intends repeatedly to cause distress or harm and attacks with words, physical contact, or gestures, and intentional exclusion from a group over a person who cannot able to defend himself.

Research Problems

The authors formulated the research problems to drive this study to uncover deception, and defamation inside digital text, as follows; 1) What linguistic aspects are found in the deception and defamation published studies; 2) What linguistic aspect appears frequently? 3) What research design is most often chosen for deception and defamation? and 4) What is the trend of deceptions and defamations studied in published studies?

Method

This research is a literature study to reveal linguistic practices in the legal field to study criminal cases in digital communication. Therefore, the researchers have collected some published journal articles that analyzed and found linguistics as an aspect of examination in terms of forensics. So, this study uses a descriptive qualitative method with a quantitative approach to present, explain, and elaborate on the phenomenon to answer the research questions.

Data Collection

The authors collected twenty journal articles discussing deception and twenty articles that discussed defamation. Deception in this study varies in the form of the title of the article, such as fraud, scams, and deception. On the other hand, articles with defamation, entitled Defamation, Hate Speech, and Swear Words. This study attempts to promote linguistic discipline in law investigation and enforcement. Therefore, this study observes those articles on the characteristics of data, research designs, digital media employment, and linguistic aspects, which indicates that those discussions genuinely place linguistics.

The researchers obtain articles by utilizing *Harzing's Publish or Perish* to narrow the search. The search keywords for deception were fraud, scam, digital media, and linguistic analysis. After selecting the articles, the researchers read the abstract, media, digital data, and research methods, then make the choices. From observing the digital media data and research methods, the authors can see the linguistic aspect used for the study. For defamation, the keywords were bullying, hate speech, social media, and linguistic analysis. After obtaining 20 articles about deception and defamation, the researchers worked with Mendeley, Elsevier's programming server, to manage and share the research paper.

Data derived from language use proves that the research is the linguistic area, method or design would explain the path of data examination, and the salient linguistic perspective would clarify that the issues within the articles are the linguistic inquiry (Osman et al., 2020). The descriptive quantitative procedure is chosen in this study to present the calculation of the data, which aims to show the patterns, connections, and trends of the data from time to time. Quantitative description as a social-scientific inquiry can be employed in any substantive field, such as; the rising or falling number of democracies; the correlation of citizens' views on economic policy and social policy, etc. (Munger et al., 2021).

Digital deception occurs formerly by email (I. Chilwa, 2019). Then, it develops into more sophisticated methods, such as spam, phishing, and scamming. Previous studies have proposed and accomplished linguistic analysis to detect and examine deception acts. The researchers collected twenty (20) published articles that discussed linguistic perspectives for analyzing deception. So, the twenty published research studies of deception are becoming the data of this present study. And, then, the researchers collected twenty (20) published articles that discussed defamation. Defamation, hate speech, and complaints are the identical words included in the title of a published article.

Data Analysis and Findings

The data analysis and findings are divided into two trends that are deception and defamation.

Deception Research Trends

The research findings on deception are classified into three: digital media platforms across linguistic analysis; research design selection across digital media; and digital media usage trends.

Digital Media Platforms Across Linguistic Analysis. Of the 20 published studies that have been collected, it was found that six digital media contain deception cases, that are; Instant message apps, Emails, Online News websites, commercial web reviews, and social media posts. The result shows that the linguistic aspects applied are morphosyntax, lexical semantics mixed with pragmatic, pragmatic, and Systemic Functional Linguistics (SFL). The findings showed that morphosyntax was the dominant linguistic aspect studied with a 12 or 60% frequency. Morphosyntax aspects were analyzed in four digital media, except social media platforms. On the other hand, the pragmatic aspect appears the least, namely only once, or 5%, in the instant messaging apps. Moreover, SFL (20%) and Semantic plus pragmatic (15%) were taken in the studies sequentially. The data description shows that Email, followed by Instant message Apps, were the most pertinent digital media platforms for deception purposes. The description of the findings is captured in the following table.

Table 1: Digital Media Across Linguistic Analysis in Deception Studies

Digital Media / Linguistic Feature Analysis	Morphosyntax	Semantic Pragmatic	Pragmatic	SFL	Freq of Digital Media Use (%)
Instant Message Apps	4	1	1	0	6 (30)
Email	3	1	0	3	7 (35)
Commercial Webs Reviews	2	0	0	0	2 (10)
Online News Webs	3	0	0	0	3 (15)
Social media	0	1	0	1	2 (10)
Ling Feature Analysis (%)	12 (60)	3 (15)	1 (5)	4 (20)	

Research Design Selections Across Digital Media. The data findings explained that the studies of deception selected 7 (seven) research designs. Those were; Qualitative; Quantitative; Mixed- Quantitative and qualitative; Content Computational linguistics; SFL; Game Design Development; and Corpus Linguistics. The greatly selected research design was Qualitative (30%). in which *case study approach* selection was the most chosen alternative to qualitative designs. A qualitative design was employed to analyze several types of deception data text, including instant Message Apps; Email; Consumer reviews; and social

media. Again, Email was the most applicable digital application to deliver deception purposes. The findings are described below.

Table 2: Research Design Across Digital Media in Deception Studies

Digital Media /Research Design	Qual	Quan	Mix	Computational Ling	SFL	Game Design Developm	Corpus Linguistic	Freq of Digital Media (%)
Instant Message Apps	2	0	2	1	0	1	0	6 (30)
Email	2	1	1	1	2	0	0	7 (35)
Consumer Reviews	1	0	0	1	0	0	0	2 (10)
Online News	0	0	1	1	0	0	1	3 (15)
Text	1	1	0	0	0	0	1	3 (15)
Social media								
Freq of Res Desi Selection (%)	6 (30)	2 (10)	4 (20)	4 (20)	2 (10)	1 (5)	2 (10)	

Trends of Digital Media Usage for Deception Studies. From the 20 (twenty) published articles, it was observed that five digital media of communication were used for deception purposes, Commercial website reviews (Hotel), Email, Online News Media, Instant Message apps (WhatsApp and Facebook Messenger), and social media (Instagram and Facebook). Then, it also found that ‘email’ was the most used by the deceivers (40%), and email was applied, in the years 2018, 2019, mostly 2020, and 2021. Moreover, it was noticed that the use of various digital media occurred in the year 2020. It means deception cases happened considerably in that year, or before. The findings are described as follows.

Table 3: Trends of Digital Media Usage for Deception Studies

Digital Media / Res Design	Qual	Quan	Mix	Computational Linguistic	SFL	Game Design Development	Corpus Ling	Freq of Digital Media (%)
Instant Message Apps	2	0	2	1	0	1	0	6 (30)
Email	2	1	1	1	2	0	0	7 (35)
Consumer Reviews	1	0	0	1	0	0	0	2 (10)
Online News	0	0	1	1	0	0	1	3 (15)
Text	1	1	0	0	0	0	1	3 (15)
Social media								
Selection (%)	(30)	2 (10)	4 (20)	4 (20)	2 (10)	1 (5)	2 (10)	

Defamation Research Trends

The research findings on defamation are classified into three: digital media platforms across linguistic analysis; research design selection across digital media; and digital media usage trends.

Digital Media Platforms Across Linguistic Analysis. The data collection of published articles on defamation found that four main kinds of digital media frequently contain defamation cases: Instant message apps, Video-social media (YouTube and TikTok), News

Websites, and social media (Facebook, Instagram, and Twitter). The findings show that social media such as Facebook, Instagram, and so on contribute the most to acts of defamation, with a 60% frequency.

Linguistic aspects analyzed from the collected data are Semantic and Pragmatic, Pragmatic, Semantic (Grammatical) and Appraisal Function, and Semantic (lexical and grammatical). The table shows that the mix of Semantic and Pragmatic is the most selected (50%) by the article's authors in observing the defamation act. It is followed by Pragmatic (40%), Semantic (10%), and a mix of Semantic and Appraisal Functions (5%). Then, from the findings, it can be noticed that lexical and grammatical features (semantics) along with the speech act of pragmatics were applicable in the study of defamation texts. Thus, it captures that the study of the meaning and intention of the speaker is aroused from linguistic features. The visual description of the findings can be seen in the following table.

Table 4: Digital Media Across Linguistic Analysis in Defamation Studies

Digital Media / Linguistic Analysis	Instant Message Apps	Youtube & Tiktok	News Websites	Social media	Freq of Ling Analysis (%)
Semantic Mix	2	1	2	5	10
Pragmatic					(50)
Pragmatic: Speech Act	1	2	0	5	8 (40)
Semantic and Appraisal Theory	0	0	0	1	1 (5)
Semantic: Lexical and Grammatical	0	0	0	1	1 (5)
Freq of Digital Med Use	3 (15)	3 (15)	2 (10)	12 (60)	

Research Design Selection Across Digital Media of Defamation Studies. From the data findings, it is found that five types of research designs were selected, Descriptive Qualitative, Case study qualitative, Corpus Study Qualitative, Discourse analysis and CDA (Critical Discourse Analysis), and descriptive quantitative. Descriptive Qualitative was the most chosen research design (65%), followed by the others. In general, Qualitative methods were applied preferably to study defamation text on digital media, in the form of descriptive, case study, and corpus study. In comparison, the quantitative descriptive method was the least selected. It can be understood, that the defamation text of digital media was the discourse study to reveal the meaning and intention of the speaker, in which semantic and pragmatic aspects were the consideration perspective of investigation. In addition, interestingly, the Shuy model of Discourse analysis and the Critical Discourse Analysis (CDA) Model of van Dijk were also selected to analyze defamation on social media. The visual description can be seen in the following table.

Table 5: Research Design Selection Across Digital Media of Defamation Studies

Digital Media/Res Design Selection	Instant Message Apps	Youtube and Tiktok	News Websites	Social media	Freq of Res Des Selection (%)
Descriptive Qualitative	2	3	1	7	13
Case Study Qualitative	0	0	0	2	2
Corpus Study Qualitative	1	0	1	0	(10)
Discourse Analysis	0	0	0	2	2
Descriptive Quantitative	0	0	0	1	(10)
					1
					(5)
Freq Of Digit Media Use (%)	3 (15)	3 (15)	2 (10)	12 (60)	

Trends of Using Digital Media of Defamation Studies. Defamation cases discussed in published articles can be seen from the selection of digital media. Starting from 2019, we can observe that 15% of defamation cases have occurred in instant message apps. Continuing the data in the year 2021, shows 40% of defamation cases have happened in the four digital media, that were social media platforms (Facebook, Twitter, and Instagram), News websites, Social Media Video (YouTube and TikTok), and Instant Message Apps. The trend decreased in 2022 (20%), in which defamation cases were found only in social media. Then, in 2023, the trend got a bit higher (25%) where defamation cases occurred in social media; instant message apps; and mostly in social media videos (TikTok and YouTube).

Two main findings that occurred here, are the most used digital media for defamation acts is social media. Then, the trend of using social media video uploaders (YouTube and TikTok) for conducting defamation, arose in the year 2023. The visual description of the findings can be seen in the next table.

Table 6: Trends of Using Digital Media of Defamation Studies

Digital Media Used /Year	Instant Message Apps	Youtube and Tiktok	News Websites	Social media	Freq per year (%)
2019	1	0	0	2	3 (15)
2021	1	1	1	5	8 (40)
2022	0	0	0	4	4 (20%)
2023	1	3	1	0	5 (25)
Freq Of Digital Media Use (%)	3 (15)	4 (20)	2 (10)	11 (55)	

Discussion and Conclusion

According to the findings of this study, it is captured that the experts or authors of linguistics and crimes, generally utilized morphosyntax aspects to examine language features of digital deception texts. As has been studied in the previous literature, the characteristic of the untruth in the text is recognizable from the salient features. For example, congratulatory words, prizes, gifts, and grants words frequently occur in the deception text in the digital

communication world (Alghazo et al., 2021; I. Chiluya et al., 2019; Feresia et al., 2014). Then, the emergence of deceptive lexical and syntactic styles, such as the number of words, syllables, and short sentences; and the frequency of function words, and punctuation, can be identified. Also, the use of salutation, request sentence, and discourse initiation of the deceiver can be recognized from the deceptive text (Afroz et al., 2012; Olajimbiti, 2018).

The qualitative study was preferable to utilize in examining digital deceptive texts, regarding qualitative research design aims to answer the question upon specific phenomenon to reconstruct and understand the phenomenon, then to build a model or theory (Daniel, 2016; Park et al., 2020). An increase in literature examining digital frauds was observed from 2019 to 2020, and the digital media platform that deceivers preferred to use was email. It is reasonably related to the chaotic situation of the COVID-19 pandemic, where many people must stay at home, and even lose their jobs, in consequence, cybercrime such as phishing and scam emails, become a concern (Alawida et al., 2022).

Defamation cases, based on the data in this study, were examined by employing Semantics and Pragmatics (45%) and followed by Pragmatics (40%) by the previous experts. In general, Pragmatics was the preferable linguistic aspect of analyzing defamation in digital texts. Considering that acts of defamation of spoken or written material give rise to allegations of defamation, a linguist is required who can examine and explain the locution, illocution, and perlocution of the speaker (Nieto, 2020). In studying defamation of digital media platforms, most of the authors selected the descriptive qualitative research design (60%), as well as the deception studies that this study elaborated on earlier, qualitative is an approach to reconstruct, explain, and develop a new understanding of the phenomenon. The findings show that from 2019 (15%), the trend of defamation cases has been rising, reaching the culmination in 2021 when 40% of defamation cases had been researched and published. Until 2022, generally, the digital media platforms in which defamation acts took place were Facebook, Twitter, and Instagram (social media). Social media provide a space for public, internet users to express opinions, feelings, and thoughts freely, this causes people to violate other people's self-honor, through hate speech, bullying, and hoaxes (Kusno, 2021).

The findings capture three descriptions and explanations due to digital deception and defamation. Deceptions were applied mostly through instant message apps, where text messages become the data of the fraud. Therefore, linguistic features, that is morphosyntactic, analysis was applicable. The trend shows that digital fraud mostly occurs in the 2019-2020. It then explains the relationship between the COVID-19 pandemic and deception acts. While, defamation regularly happens through a speech on social media, where speech acts in a conversation become the data of defamation studies. Consequently, pragmatic and discourse analysis was relevant. The trend shows that defamation cases in digital media significantly appeared in 2021, which was still the COVID-19 pandemic from 2019 to 2021.

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